

§ 18.1

Section 18.10 also issued under 19 U.S.C. 1557;

Section 18.11 also issued under 19 U.S.C. 1484;

Section 18.12 also issued under 19 U.S.C. 1448, 1484, 1490;

Section 18.13 also issued under 19 U.S.C. 1498(a);

Section 18.14 also issued under 19 U.S.C. 1498.

Section 18.31 also issued under 19 U.S.C. 1553a.

SOURCE: 28 FR 14755, Dec. 31, 1963, unless otherwise noted.

GENERAL PROVISIONS

§ 18.1 Carriers; application to bond.

(a)(1) Merchandise to be transported from one port to another in the United States in bond, except as provided for in paragraph (b) of this section, shall be delivered to a common carrier, contract carrier, freight forwarder, or private carrier bonded for that purpose, but such merchandise delivered to a common carrier, contract carrier, or freight forwarder may be transported with the use of facilities of other bonded or nonbonded carriers. For the purposes of this section, the term "common carrier" means a common carrier of merchandise owning or operating a railroad, steamship, pipeline, or other transportation line or route. Only vessels entitled to engage in the coastwise trade (see § 4.80 of this chapter) shall be entitled to transport merchandise under this section.

(2) Merchandise to be transported from one port to another in the United States under cover of a TIR carnet (see part 114 of this chapter), except merchandise not otherwise subject to Customs control, as provided in §§ 18.41 through 18.45, shall be delivered to a common carrier or contract carrier bonded for that purpose, but the merchandise thereafter may be transported with the use of other bonded or nonbonded common or contract carriers. The TIR carnet shall be responsible for liability incurred in the carriage of merchandise under the carnet, and the carrier's bond shall be responsible as provided in § 114.22(d) of this chapter.

(3) Merchandise to be transported from one port to another in the United States under cover of an A.T.A. or TECRO/AIT carnet (see part 114 of this

19 CFR Ch. I (4-1-02 Edition)

chapter) shall be delivered to a common carrier or contract carrier bonded for that purpose, but the merchandise thereafter may be transported with the use of other bonded or nonbonded common or contract carriers. The A.T.A. or TECRO/AIT carnet shall be responsible for liability incurred in the carriage of merchandise under the carnet, and the carrier's bond shall be responsible as provided in § 114.22(d) of this chapter.

(b) Pursuant to Public Resolution 108, of June 19, 1936, (19 U.S.C. 1551, 1551a) and subject to compliance with all other applicable provisions of this part, the port director, upon the request of the party in interest, may permit merchandise entered and examined for Customs purposes to be transported in bond between the ports named in the resolution by bonded cartmen or lightermen duly qualified in accordance with the provisions of part 112 of this chapter, if the port director is satisfied that the transportation of such merchandise in this manner will not endanger the revenue.

[28 FR 14755, Dec. 31, 1963, as amended by T.D. 71-70, 36 FR 4485, Mar. 6, 1971; T.D. 71-263, 36 FR 20291, Oct. 20, 1971; T.D. 73-140, 38 FR 13550, May 23, 1973; T.D. 78-99, 43 FR 13061, Mar. 29, 1978; T.D. 82-116, 47 FR 27261, June 24, 1982; T.D. 82-145, 47 FR 35478, Aug. 16, 1982; 47 FR 39478, Sept. 8, 1982; T.D. 84-149, 49 FR 28698, July 16, 1984; T.D. 89-1, 53 FR 51254, Dec. 21, 1988; T.D. 96-18, 61 FR 6779, Feb. 22, 1996; T.D. 98-10, 63 FR 4167, Jan. 28, 1998]

§ 18.2 Receipt by carrier; manifest.

(a)(1) *Merchandise other than from warehouse or foreign trade zone delivered to bonded carrier.* Except as set forth in paragraphs (a)(2) and (a)(3) of this section, within 5 working days after presentation of an entry for merchandise to be transported in-bond, the forwarding carrier shall take receipt of the merchandise if no other entry is filed. If the forwarding carrier fails to take receipt of the merchandise within the prescribed period, the transportation entry shall be canceled and the merchandise shall be treated as unclaimed as of the date of original arrival.

(2) When merchandise is delivered to a bonded carrier for transportation in-bond, the merchandise shall be laden on the conveyance under supervision of a Customs officer unless—